

United States Patent and Trademark Office  
- Sales Receipt -

12/13/2005 AWHITE1 00000001 061050 10800109

01 FC:1252 450.00 DA

Attorney's Docket No.: 07575-032002 / P01-1914.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

SEP 23 2005

Applicant : Mercier et al.                      Art Unit : 2167  
Serial No. : 10/800,109                      Examiner : Luke S. Wassum  
Filed : March 12, 2004  
Title : COHERENT DEVICE TO DEVICE DATA REPLICATION

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Amendment in Reply to Action Of May 6, 2005

Please amend the above-identified application as indicated below.

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

September 23, 2005  
Date of Transmission  
Signature Carlos A. Brasil  
Typed or Printed Name of Person Signing Certificate  
Carlos A. Brasil

Applicant : Mercier et al.  
Serial No. : 10/800,109  
Filed : March 12, 2004  
Page : 13 of 13


Attorney's Docket No.: 07575-032002 / P01-1914.02

the snapshot version of the block and otherwise copying the snapshot version of the source data object block to the corresponding block in the destination data object, wherein data is directly transferred between the source and destination storage device controllers without traversing a server operable to process file system requests, and wherein coherency of the data transferred between the source and destination storage device controllers is maintained without requiring any file system to maintain a snapshot map." For reasons similar to those presented above, the application respectfully submits that claim 39 is in condition for allowance.

Claim 40 stands rejected under 35 U.S.C. Section 103(a) as being unpatentable over Ohran in view of Hitz and in further view of Schwartz. The applicant respectfully traverses the rejection. Claim 40 recites a system that includes a controller "operable, in response to receiving the copy command, to generate and send one or more storage device commands to one or more storage devices for the source and target volumes to copy data from the source volume directly to the target volume without having a file server in the data path, the controller using the snapshot map and the snapshot data to maintain coherency of the copied data." For reasons similar to those presented above, the application respectfully submits that claim 40 and its dependent claims are in condition for allowance.

Please apply the charge for a two-month extension of time, and any other charges or credits, to deposit account 06-1050.

Respectfully submitted,

Date: Sep. 23, 2005  
Tim H. Pham  
Reg. No. 48,589

Customer No. 26181  
Fish & Richardson P.C.  
Telephone: (650) 839-5070  
Facsimile: (650) 839-5071

50276671.doc